

Senate Bill No. 1608

CHAPTER 624

An act to add and repeal Chapter 6.5 (commencing with Section 13855) of Title 6 of Part 4 to the Penal Code, relating to firearms.

[Approved by Governor September 24, 2000. Filed
with Secretary of State September 26, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1608, Brulte. Firearms: possession by felon.

Existing law provides for various studies and programs related to crime prevention and firearms.

This bill would require the Department of Justice to undertake a study regarding specified information in connection with violations of Sections 12021 and 12021.1 of the Penal Code, and to report to the Legislature no later than January 1, 2002. This bill would provide that its provisions shall remain in effect only until January 1, 2002, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2002, deletes or extends that date.

The people of the State of California do enact as follows:

SECTION 1. Chapter 6.5 (commencing with Section 13855) is added to Title 6 of Part 4 of the Penal Code, to read:

CHAPTER 6.5. STUDY OF SECTIONS 12021 AND 12021.1 VIOLATIONS AND ENFORCEMENT

13855. (a) The Department of Justice shall study and report to the Legislature by January 1, 2002, statewide information identifiable by county, about the enforcement of Sections 12021 and 12021.1, including, but not limited to the following, for the period of at least three years prior to January 1, 2001:

(1) The number of arrests for violations of Section 12021 or 12021.1, identified by the number of arrests that were solely for a violation of Section 12021 or 12021.1, and the number of arrests for violations of Section 12021 or 12021.1 and other violations of law.

(2) The number of prosecutions and convictions that were for violations of Section 12021 or 12021.1, identified by the number of prosecutions and convictions that were solely for a violation of Section 12021 or 12021.1, and the number of prosecutions and convictions for violations of Section 12021 or 12021.1 and other violations of law.

(3) The number of persons identified pursuant to paragraphs (1) and (2) who had previous convictions for serious or violent felonies, and the number sentenced pursuant to Sections 1170.12, 12022.5, 12022.53, or subdivisions (b) to (i), inclusive, of Section 667.

(4) The number and lengths, identified as lower, middle, and upper term, of sentences imposed where the sentence imposed for a violation of Section 12021 or 12021.1 was the principal term of imprisonment, and the number of convictions where the sentence imposed for a violation of Section 12021 or 12021.1 was a subordinate term of imprisonment.

(5) The number of persons who were granted probation or suspension of the imposition of sentence for a violation of Section 12021 or 12021.1.

(6) The length of time between the arrest for a violation of Section 12021 or 12021.1 and the previous felony conviction that resulted in the offender being subject to Section 12021 or 12021.1.

(b) This chapter shall remain in effect only until January 1, 2002, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2002, deletes or extends that date.

